

January 31, 1975

PRESIDENT: The chair recognizes Senator Luedtke. We will take up the amendment first. Senator Murphy.

SENATOR MURPHY: I did not mean to inject the amendment at this moment. It was my original request that it be held subject to a question of Senator Luedtke and it may remove the necessity for it. The amendment, in reading the new material inserted in this bill, says that this director of this local health department shall review with a committee the budget. The director nor the committee are required to levy the tax to support this budget by either city or county and I do feel that unless it is otherwise set forth in here that those agencies who must levy the tax to support this budget should most certainly have the right to approve what that budget is. Even under this, if this is the extent of the budget consideration, it leaves the authority for the budget entirely up to the director because it does not say that the committee shall approve it, only that he shall review it and I think that unless it is elsewhere in that statute and I have failed to find it. There is other reference to budget controls but cities of the primary class, I think, are exempt from that section and it was my intention to ask Senator Luedtke if there is some other protection for this budget other than giving the director full control of it.

SENATOR LUEDTKE: Mr. President, in answer to that question, as far as I understand it, this isn't the final say as to the budget. This particular committee is still answerable to the city and to the county. They must come before the city and the county and have their budgets approved by them. Of course, the big problem here is federal, the federal funds again. We've got the old federal problem and, in fact, this whole thing is brought about, this whole amendment is brought to the attention of the enabling act because of Medicare and the function of the federal government and their requirements through the director and his approval of Medicare payments. So it's a Medicare problem. It's a federal problem and I would not want to agree with any amendment, Senator Murphy, unless Mr. Nelson, our corporate counsel for the city of Lincoln, would approve it because I think it might undo what we are attempting to do.

SENATOR MURPHY: I have no--no objection whatever to any approval or further clarification you may have on it, Senator. It's just that I am reluctant to turn loose a department who might to some degree become self-serving. We have these departments in various counties throughout the state who have their back to the wall on budgets and if we do not, in fact, allow that county or county-city in this case to have final authority on that budget, fine. My amendment, I think, will in no way encumber the rest of this. It simply spells out that in fact the city-county boards shall have a right to approve how much money they will be billed for before they are asked to raise it from the citizens.

SENATOR LUEDTKE: Mr. President, I would like to ask Senator Murphy a question relative to his amendment, if he would yield.

SENATOR MURPHY: Certainly.

SENATOR LUEDTKE: Senator Murphy, would you check with Mr. Ralph Nelson or give me the amendment and I will check with him to make sure that it--because I have no objection to it, if it doesn't.

SENATOR MURPHY: And I certainly have no objection to it as